

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:03CV406
)	
and)	
)	
LISA CARROLL,)	MEMORANDUM AND ORDER ON
)	MOTIONS TO QUASH SUBPOENAS
Intervenor)	
v.)	
)	
JOHN R. KOCH,)	
)	
Defendant.)	

As a result of a telephone conversation today with Michelle Peters for herself and Molly Smolko, Jim McGough for John R. Koch, and Kate Mahern for intervenor Lisa Carroll.

IT IS ORDERED that:

1. because Michelle Peters agrees to make a true and accurate copy of the entire investigative file of the Omaha Human Rights and Relations Department for counsel of the defendant John Koch and the intervenor Lisa Carroll and submit those copies to Jim McGough and Kate Mahern, and because counsel for the defendant and for the intervenor agree that those copies will be considered as adequate foundation for admission in evidence, while reserving the issue of relevance, the Motion to Quash Subpoena of Michelle Peters, filing 194, is granted and Michelle Peters need not appear as a witness in the case;
2. because witness Molly Smolko's compliance with her subpoena on December 1, 2006, would impose upon her an undue burden, the Motion to Quash Subpoena of Molly Smolko, filing 195, is granted; and
3. the hearing on the Order to Show Cause, dated October 30, 2006, shall be held on Friday, December 22, 2006, beginning at 9:00 a.m. in Courtroom No. 4, U.S. Courthouse, 100 Centennial Mall North, Lincoln, Nebraska.

Dated November 15, 2006.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge

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